

**ASSIGNMENT OF NOTE AND DEED OF TRUST**

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, TRIVEST CORPORATION, by and through its authorized official, does hereby assign, set over and transfer unto BANK OF MISSISSIPPI, Olive Branch, Mississippi, all of its right, title and interest in and to that certain Deed of Trust executed by Billy D. Kirk and wife, Debra A. Kirk to James E. Woods, Trustee for the benefit of Trivest Corporation dated October 1, 1996, and recorded in Book 863, Page 433, land deed records of DeSoto County, Mississippi, together with a note evidencing the indebtedness secured thereby in the original principal amount of \$14,000.00. The principal unpaid balance which the undersigned warrants to be \$14,000.00 as of this date.

Trivest Corporation hereby warrants that the Deed of Trust hereby assigned constitutes a first lien upon the property therein described subject only to taxes for the current future years.

This assignment is made to secure the payment of a Note dated the 1st day of October, 1996, in the principal amount of \$24,000.00, payable in sixty (60) months executed by the authorized official of Trivest Corporation to the Bank of Mississippi, and when said Note has been in full, the Bank of Mississippi will assign any interest it then has in the Note and Deed of Trust above referred to, to Trivest Corporation.

This the 2nd day of October, 1996.

STATE MS.-DE SOTO CO.  
FILED

Nov 1 1 37 PM '96

TRIVEST CORPORATION

BY:

Earl M. Warren  
EARL M. WARREN, PRESIDENT

STATE OF MISSISSIPPI BK 866 PG 640  
COUNTY OF DESOTO W.F. DAVIS CH. CLK.

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 2nd day of October, 1996, within my jurisdiction, the within named EARL M. WARREN, who acknowledged that he is President of Trivest Corporation, a Mississippi corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Victoria B. Griffith  
NOTARY PUBLIC

My Commission Expires:

10-01-98

Prepared by & return to:  
Woods and Snyder  
P. O. Box 456  
Olive Branch, MS 38654  
(601) 895-2996